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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------|------------------|
| 10/039,236  | 12/31/2001  | Ralph Anderson       | KCC 4779 (K.C. No.<br>17.026 | 7312             |
| 321   | 7590        | 05/11/2005           | EXAMINER                     |                  |
| SENNIGER POWERS LEAVITT AND ROEDEL<br>ONE METROPOLITAN SQUARE<br>16TH FLOOR<br>ST LOUIS, MO 63102 |             |                      | HALPERN, MARK                |                  |
|   |             |                      | ART UNIT                     | PAPER NUMBER     |
|   |             |                      | 1731                         |                  |

DATE MAILED: 05/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/039,236

Applicant(s)

ANDERSON ET AL.

Examiner

Mark Halpern

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 10, 11, 22 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-21, 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

- 1) Acknowledgement is made of Response received 3/15/2005.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2) Claims 1-9, 12-21, 24, are rejected under 35 U.S.C. 102(b) as being anticipated by Kohler (WO 01/18310).

Claims 1-3, 6-7, 13-15, 17-20: Kohler discloses process of forming a paper by depositing aqueous pulp suspension on a moving wire, dewatering said suspension thus forming a web sheet. The water content is reduced further to a range from 70 to 30%, thus the moisture content of the sheet before the sheet reaches the dry end is equal or less than 30% (pg. 4, lines 19-32). A solution containing polyethylene glycol, having a molecular weight less than 800 (Pg. 6, lines 16-20) is applied topically to the sheet when the sheet is of moisture content between 40 and 30% (pg. 13, lines 13-16). The web is then dried at a temperature range from 100 to 250 °C (pg. 14, line 1) by means of hot air blowing on to the web sheet (Pg. 13, lines 32-35). The polyethylene glycol is added in amounts from about 0.3 percent (Example 2, pg 21) to about 14 percent (Example 1, pg 19).

Claims 4-5, 16: The polyethylene glycol is added in amounts from about 0.3 percent (Example 2, pg 21) to about 14 percent (Example 1, pg 19).

Claims 8-9, 21: the polyethylene glycol content is up to 50% (Pg. 9, lines 24-27).

Claims 12, 24: spray application of polyethylene glycol is disclosed in Example 1, Pg. 19.

### ***Response to Amendment***

- 3) Claims 1-3, 8-9, 12, rejection under 35 U.S.C. 102(b) as being anticipated by Vinson (6,162,329), is withdrawn.
- 4) Claims 4-5, 13-16, 24, rejection under 35 U.S.C. 103(a) as being unpatentable over Vinson in view of Kohler (WO 01/18310), is withdrawn.
- 5) Claims 6-7, rejection under 35 U.S.C. 103(a) as being unpatentable over Vinson in view of Ploetz (3,779,791), is withdrawn.
- 6) Claims 17-19, 20-21, rejection under 35 U.S.C. 103(a) as being unpatentable over Vinson in view of Kohler, and further in view of Ploetz, is withdrawn.
- 7) Applicants' arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

- 8) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 571-272-1190. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Halpern  
Primary Examiner  
Art Unit 1731